

CHAPTER XX.

THE SETTLEMENT RECORD-ITS COMPLETION, CLASSIFICATION, ARRANGEMENT, AND MAINTENANCE.

482. I now propose to describe the records made over to the Collector, to explain how the draft made in camp was finished from the time of draft publication onward, how it was copied, published, and arranged.

Lastly, I propose to give some account of the schemes for its maintenance and the arguments for and against.

483. The usual procedure for the completion of the record was as follows :—

Rents having been settled as described in the last chapter and all miscellaneous corrections and orders given effect to, the *khatian* and *khewat* were, under Section 105 (I) of Act VIII of 1885, read out in the village by a *kanungo* who at the same time pointed out to the tenants the lands reserved for grazing or other purposes.

After being thus published the draft record remained for a month in charge of the camp record keeper, and during that period any interested party was allowed to see it, and could prefer a summary objection under Section 105 or bring a suit under Section 106 for the correction of any entry.

When all objections had been disposed of, that is, about two months after the date of settlement of rents, and all corrections checked and necessary figures abstracted for the completion reports, the record was put up to the Assistant Settlement officer, who, after satisfying himself that it was complete, ordered it to be sent to head-quarters for copying.

At the head-quarters the record keeper received the records thus sent in and handed them on as required to the copying department, where one complete copy was prepared for final publication, another less full to serve as the zamindar's rent-roll, and for each tenant a copy of the draft *khatian* of his lands.

After being copied and compared and checked, the final record, consisting of *khewat*, *khatians*, schedule totals, and schedules, was made over to a *kanungo* who read out the *khatians* and *khewats* in the village, signed and dated the seal on them, distributed to the tenants, or such as came, their copies, and returned the record and undistributed *khatians* with a certificate of final publication to the head office.

Then, after any suits still pending under Section 106 had been disposed of and the *khatians* concerned corrected and published, the records were re-arranged, unimportant papers being set aside those to be preserved arranged in A and B files as explained below.

The records were then numbered and arranged by Thanas, and the *khewat* finally revised at the time of taking *kabuliyats* having been included, were ready to be made over to the Collector.

This is a very summary sketch of the general history of a record, and the only differences in the stages here described introduced by Act III (B. C.) of 1898 were (1) that the record was published before rents were settled, (2) that formal suits could not be brought in respect of temporarily-settled revenue-paying lands, but could be brought even after final publication in respect of permanently settled lands.

484. Draft publication was very simple work. Notice having been duly published seven days in advance, the *kanungo* went to the village and there read out to such of the villagers as attended the entries in the *khatians* and *khewats* and informed them that at any time during the next month they could see the records in the camp.

A *kanungo*, a *muharrir* and two peons were attached to each camp for this work, but there was rarely enough to keep them fully employed; the *muharrir*.

was drafted to general duty and the *kanungo* combined with publication local enquiries of various kinds. For a *kanungo* doing no other work 25,000 to 30,000 plots a month was a good outturn, and we may take it that the cost was not more than Rs. 30 for 20,000 plots, or Rs. 12,000 for the Province.

485. The final rule for the correction of records as it stood in 1895 was that every order must be given effect to in every part of the record, alterations in the *khatian* and *khewat* being initialled by the Assistant Settlement Officer himself; those in *khasra*, *terijes* and statements by the head *muharrirs*.

The first exception made to this rule was in 1895, when the final attestation of comparative statements of *jagir bazyafiti* and *nijjot* lands being stopped, they ceased to be corrected.

The next was in March 1896, when at the conference held at Bhadrak it was decided to discontinue the correction of boundaries.

With these two exceptions, all orders passed by Assistant Settlement Officers in camp have, before the records were returned to head-quarters as complete, been given effect to in the *khewat*, *khatian*, *khasra*, *lakhiraj bahal* statements, schedules, *terij* schedule totals, *tahsilalahida* statement and village trace.

The *milan khasra* was not usually corrected in detail, but the totals of the *khasra* were checked and compared with the total of the *khatians*.

486. In the two districts of Cuttack and Balasore the *khasra* has been, or at least has been supposed to be, corrected in accordance with all orders passed before or after attestation; but in the Puri district in an inspection of December 1896 Mr. McPherson found that a great deal of time was being spent on correcting the *khasra* in accordance with alterations already made in the *khatian*; and inasmuch as the *khasra* was not a part of the record of rights, he considered the work unnecessary, and ordered it to be discontinued.

The result is that the *khatian* and *khasara* will not always agree, the latter being often incorrect. In a small number of villages the discrepancies were reconciled at the time of correction of boundaries as described in the next paragraph.

Hitherto nothing has been done towards supplying a fair copy of the *khasra* to the Collectors, but it is made over as it is, full of erasures and sometimes incorrect.

I have in my report on the Bill of 1897 for the amendment of the Tenancy Act recommended that an abstract of the *khasra* should be prepared as in index to the village map and should form part of the record of rights. It would contain only the number, area, *touzi* numbers of estate, name of tenant, and *khatian* number. Such an index might still be prepared from the *khatians* at a cost of not more than Rs. 30,000, and I strongly recommend that it should be made and attached to the map, unless indeed completely new *khasras* are written as proposed in the scheme for maintenance of the land records submitted with my letter No. 1040, dated the 16th May 1899.

487. Under section 102 (c) of Bengal Tenancy Act the boundaries of a tenant's land were required to be shown in the record of rights, and accordingly the names of the tenants holding on the four sides of each field were entered in *khasra* and *khatian* by the *khanapuri amin* except in the case of houses and unoccupied lands.

In the case of tenure-holders, or raiyats with under-raiyats, the boundaries were usually entered in the tenant's or under-raiyat's *khatian* only for the lands which they occupied, and full details were only given in the landlords' *khatians* for the lands in their own possession.

After *khanapuri* the correction of the name of a tenant of any one field would usually involve the correction of the boundaries of the four surrounding fields in both *khasara* and *khatian*.

This, though very laborious, continued to be the rule down to 1896, when, at the Bhadrak conference of the 25th March, it was decided to discontinue the

correction of boundaries, on the ground that the expenditure and delay were quite disproportionate to the value of the corrections.

When the fair copying of the *khatians* was begun the question of omitting boundaries was again mooted, but for some time no decision was arrived at, and the boundaries as they stood were copied and published in the final record.

I expressed my disapproval of this procedure in my report on the amendment of the Tenancy Act; and in a letter No. 187 T. S. dated 25th May 1897, Mr. W. C. Macpherson, the Director of Land Records, expressed his strong disapproval of the publication of incorrect records.

Immediate steps were taken to secure that for the future two out of the four boundaries of every field should be corrected, and those two only entered on the final record.

The procedure adopted was first to correct column 7 (name of tenant) in the *hasra* by comparing with the *khatian*, then from the map and *hasra* to correct the north and south boundaries of every plot in the village, and lastly to correct from the *hasra* the boundaries in the *khatian*.

I estimate that for considerably more than half the province the boundaries have been thus corrected. Some of the work was done by paid men, and where temporary men were employed the rate was from 6 to 8 annas per 100 plots for a pair of *muharrirs* who did some 200 fields a day.

The work must at this rate have cost of Rs. 20,000, but it had the advantage of serving as a check on the *hasra* and of saving time in copying by allowing the omission of two boundaries.

488. The draft *khatians* were bulky and full of corrections, and it was obviously out of the question that they should be filed in original in the Collector's office, and in June 1896 it was finally decided to copy them in a continuous form with a slip heading adopted from that given as No. 7, Appendix G, to the Survey and Settlement Manual of 1895.

The form was as follows :—

UPPER PORTION									
Khatian No.		Mauza No.		Pargana		Thana		Volume No.	
Serial Number of Tenancy	Name, father's name, and caste of tenant.	Khasra number.	Boundaries	Description	Area.	Existing rent and cess ascertained by Revenue Officer (omit) when column 8 is filled up.	Rent settled by Revenue Officer (if any) and cess.	Status and, in case of nonoccupancy tenancy, length of possession, special conditions and incidents if any, including progressive rents.	REMARK (Note e. g., entries which have been the subject of a case under section 106 Bengal Tenancy Act.)
1	2	3	4	5	6	7	8	9	10
LOWER PORTION									
Mahal		Tauzi No.		Name of zamindar.				Khewat No.	
1	2	3	4	5	6	7	8	9	10

This form was to be used both for the final record and for the copy to be given to the proprietors. For the tenants the form of the working *khatian* was preserved, viz :—

Serial No.		Warija of Pargana		Son of District		Holding land as the proprietary right of			In Mahal Proprietors according to Khewat.			Mauza												
No.																								
1	2	3	4	5			6	7	8						9	10								
Name of land- rd	Serial number of raiyat.	Name of raiyat, his father's name caste, residence	Name of under raiyats his father's name caste, residence and number of the warija	KHASRA NUMBER AND BOUNDARY OF EACH PLOT.			Class.	AREA.		TOTAL RENT OF THE HOLDING.			ACCORDING TO RAYAT (b).			ASCERTAINED BY SETTLEMENT OFFICER			FAIR RENT FIXED BY SETTLEMENT OFFICERS.		Particulars of Tenancy and Remarks.			
				Khasra number	Boun- daries,	Num- ber of kitas		A	D	ACCORDING TO LANDLORD (a).			Rent.	Cesses.	Total.	Rent.	Cesses.	Total.	Rent.	Cesses.		Total.	Rent per acre (a)	Rent of holding (b)
										Rent.	Cesses.	Total.												

For the preparation of these copies rules were first drawn up in August 1896 and passed by the Director in September of that year.

The copying was to be done at local centres to which the records would be sent in from camp. At each centre would be a supervisor, under him one or two squads of 30 *muharrirs*, of whom 4 to 8 would be employed on comparing.

Centres were eventually formed at Cuttack, Jajpur, and Kendrapara in the Cuttack District; at Balasore and Bhadrak in the Balasore District; and at Pipili in the Puri District.

At each centre were one or two squads consisting each of —

			Rs.
1 Supervisor on	...	...	30 to 35
2 <i>Munsarims</i> on	...	...	20 each
2 Assistant <i>munsarims</i> on	...	...	16 "
2 Supervisors' <i>muharrirs</i> on	...	...	12 "
2 Peons on	...	...	5 "
1 Sealer	...	...	6 "
1 <i>Daftari</i>	...	...	6 "
75 Copyists	...	...	...
36 Comparers	...	...	...

Work was at first slow and rates high, viz., for the final records 8 annas per 100 plots, for the raiyat's copy 7 annas per 100 plots, and for the zamindari copy 5 annas per 100 plots.

Comparing was paid for at 12 annas per 1,000 numbers, the head comparer being paid a fixed salary.

In March 1897 the rates had been reduced to 7 annas for the final record, 6 annas for the raiyat's, and 3 annas for the zamindari copy. These rates were at the close of the year again reduced to 6 annas, 5 annas, 4 pie, and 3 annas, respectively, and the comparers were paid fixed salaries of from Rs. 12 to Rs. 15. Even so, the *muharrirs* worked so much faster that their earnings were larger at the reduced than at the former higher rates.

The total expenditure on copying these records is as follows :—

DISTRICT.	NUMBER OF FIELDS COPIED INTO			Cost of copying	Cost of comparing, supervision, &c.	Total.
	Final record.	Raiyat's copy.	Zamindars' copy.			
1	2	3	4	5	6	7
Cuttack...	4,142,939	3,295,370	3,573,421	Rs. 58,570	Rs. 9,055	Rs. 67,625
Puri ...	1,721,337	1,211,077	1,258,556	23,327	3,648	26,975
Balasore...	2,584,901	2,028,439	2,024,902	30,415	7,312	37,727
Total	8,449,177	6,534,886	6,856,879	1,12,312	20,015	1,32,327

489. The copy of the *khatians* prepared for the final record was at first an exact *replica* of the entries in the draft, omitting only the former rent where a new one had been settled.

Arrangement of record.

The order of the entries was as follows :—

1. Government lands	...	...	...	} For the whole village.
2. Tenants of Government	...	...	...	
3. Revenue-free lands	...	...	...	
4. Tenants of revenue-free lands	...	...	...	
5. <i>Kharida jamabandi</i>	...	...	...	} For the first estate in the village.
6. <i>Bazyafti</i> tenure holders	...	...	...	
7. Do raiyats	...	...	...	
8. <i>Thani</i>	...	...	...	
9. <i>Thani-pahi</i>	...	...	...	
10. <i>Pahi</i> settled and occupancy raiyats	...	...	...	
11. Non-occupancy raiyats	...	...	...	
12. <i>Chandina</i>	...	...	...	
13. Resumed <i>jagirs</i> and rent-free grants.	...	...	...	
14. Proprietor's private lands	...	...	...	
15. Invalid grants assessed for revenue	...	...	...	
16. Confirmed <i>jagirs</i>	...	...	...	
17. Waste lands	...	...	...	
18. Under-raiyats	...	...	...	
19. Raiyats of proprietor's private lands, of <i>jagir</i> , &c.	...	...	...	

And then the same for the next estate, and so on.

The numbering of classes 1 to 4 was the same as that of the *terij* of Government and revenue-free lands, and from 5 onwards the numbers of the *khatians* followed the schedule.

The first important alteration was in May 1897 when in accordance with the views expressed by the Director, Mr. Macpherson, in his letter No. 187 T. S., dated the 25th June 1897, only the north and south boundaries were entered in the *khatians*.

A little later another change was made chiefly with a view to shortening the record, and full details of their lands ceased to be entered in the *khatians* of tenure-holders, *lakhirajdars*, or departments of Government having tenants under them.

For lands in the immediate possession of the tenure-holders, &c., details of the plots, their area, class and boundaries continued to be shown, but in the case of lands held by tenants, only the name of tenant, number of plots, their total area, and the rent payable by the tenant with a reference to the number of his *khatian* in which the details might be found, were given.

The following example of a *kharida jamabandi* tenure-holder's *khatian* will explain what is meant, and to show the difference in treatment, a copy of the continuous *khatian* of a *thani* raiyat with under-raiyats is also given :—

Serial No.	Name of occupant.	Plot No.	Boundaries.	Class of crop.	Area.	Existing rent	Settled rent.	Status.	REMARKS
1	2	3	4	5	6	7	8	9	10
KHARIDA JAMABANDI TENURE-HOLDERS									
3	Lakhan Panda, son of Rameshar Panda residing at Bohugram, Pargana Paenda, Thana Salepur.	15	N. Gopal Malik S. Ram Sethi	Sarad Ekfasal 2 Kitas	A. D. 1. 25	...	R. A. 4 4	Khrida jama-bandi tenure-holder.	This rent is fixed for the term of settlement.
		23	N. himself S. Fakir Das	Biali Birhi 1 Kita	.75				
4	Total nijdakhal held by raiyats.	2	...	3 Kitas	2.0				
	Ram Das Nos. 101	4	...	5 "	.80	...	2 0	Occu-pancy.	
	2								
	Lakhan Sahu, Nos. 103	1	...	3 "	.70	...	Dhuli bhag	Non-occu-pancy.	
	4								
	Total	7	...	11	3.50	...	...		
THANI RAIYATS.									
4 I	Fakir Das and Kali Das, sons of Ramu Das, residing in the village.	12	N. Gopi Sahu S. Asthan.	Sarad Ekfasal 3 Kitas	1.20	...	8.2	Thani settled raiyat.	Ditto
		17	N. Ram Das S. Balu Lenka	Biali, Kulthi 1 Kita	.75	...	...	...	Under raiyat Ram Das Nos. 104
	Minha ...	35	...	House 1 Kita	.15				I
	Total ...	3	...	5	2.10				rent dhulibhag.

490. For the zamindars and proprietary tenure holders one copy of the entries for each estate and tenure in the village was prepared in the continuous form, boundaries being omitted as well as all mention of under-raiyats and under-tenants.

The class of crop was entered only in the *khatians* of lands in the immediate possession of the proprietors. At first the zamindars of the principal estate received also copies of the entries regarding revenue-free and Government lands in the village, but from May 1897 this practice was discontinued. The zamindari copies were made over to the proprietors executing *kabuliyats* as will be explained when dealing with that part of the work.

The raiyats' copies were prepared from the original working *khatian*, and though in a somewhat different from the continuous *khatian* reproduced the identical entries.

Such copies were prepared and issued free of cost to all tenants in temporarily-settled estates, but not for Government and revenue-free lands, nor for lands in the immediate possession of the proprietors. At first, indeed, copies were made and given to *lakhirajdars* and their tenants, but in July 1897 the question of the recovery of some part of the cost from the holders of revenue-free lands was mooted and the further distribution of the *khatians* stopped.

It was finally decided that copies of the *khatians* of tenants holding under revenue-free proprietors should be given on payment of one pice per plot, the minimum charge for one *khatian* being, by a subsequent order of December, 1898, four annas. *Lakhiraj bahaldars* have been given copies of their own *khatians* on the same terms.

491. The case-work after the preparation of the draft record fell under two main heads:—

Case-work after draft publication.

(1) Objections filed under Section 105 (1) of Act VIII of 1885.

(2) Disputes under Section 106 of that Act. Objections under Section 105 (1) could only be filed within the period, usually one month, of publication of the draft record, and could be presented on plain paper or on the printed forms modelled on the form given in Appendix A to the Survey and Settlement Manual of 1895 and sold at one pice each. When draft publication began these petitions were required to be stamped, but it was very shortly pointed out that under Section 19 (IX) of the Court-Fees. Act of 1890 no fee was chargeable, and the practice was discontinued.

Process fees were levied at the discretion of the Assistant Settlement Officer in cases that he thought frivolous or unduly delayed.

Notice having been served on the opposite party, the objections were summarily decided by the Assistant Settlement Officer who recorded a brief finding and an abstract of his grounds, but rarely any evidence except in hotly contested cases.

The number of such objections disposed of is 63,518, as shown in the following table:—

Cases under Section 105 disposed of including those under section 103 of the Amending Act.					Total
	1895-96.	1896-97.	1897-98.	1898-99.	
Cuttack	380	13,791	14,377	3,572	32,120
Balasore	251	9,162	7,368	2,870	19,651
Puri (excluding Khurda)	17	8,943	1,747	1,040	11,747
Total —	648	31,896	23,492	7,482	63,518

Doing no other work, an Assistant Settlement Officer could dispose of about 1,000 such objections in a month, so that the time spent on their decision may be taken at six years' work of one officer and the expenditure at Rs. 20,000, besides as much more for the correction of the record.

The large number is due to many questions originally decided at attestation being again revived, and also to a tendency to put off bringing cases to the last moment.

Though the disposal of these objections and the necessary corrections took up so much time, yet, as there was but limited period for filing them, they did not very seriously retard the completion of the record.

492. It was otherwise with the disputes under Section 106. These were rarely brought until all other means had been exhausted, though in a few cases disputes arising at a late stage of the proceedings came up for the first time in this form.

They did not as a rule take very long to try, but time was spent on summoning witnesses and giving adjournments on various pretexts; and as the people freely availed themselves of their rights of instituting such suits

immediately before the final publication of the record under Section 105 (2), Act VIII of 1885, they proved very troublesome.

They were worst in Balasore, where the people appear to have been more litigious; but both there and in the other districts arrangements had to be made for finally publishing *khatians* unaffected by pending suits without waiting for the conclusion of all case-work in a village.

When the cases had been disposed of and the corrections, if any, in the *khatian* made, the records were again sent to the village and the *khatians* previously reserved from publication read out.

This difficulty was removed by Act III (B. C.) of 1898, which put a limit to the time for objections in respect of revenue-paying lands and allowed formal suits in respect of revenue-free and permanently-settled lands to be brought after final publication.

The total number of suits under Section 108 in the province has been 9,502 besides a few cases tried in 1894-95 before the draft publication of the records. Of these a very large number were compromised or struck off on technical grounds, but the residue represented a large amount of work.

I have estimated* the expenditure on their trial at Rs. 11,283 for the year 1897-98, and the total may be taken at Rs. 12,000, to Rs. 13,000 without taking into account the value of my own time and that of my covenanted assistant.

Details of cases disposed of are given in the following table:—

	Cases under Section 106 disposed of in the year				Cases under Section 106 of the old Act disposed of under the Amending Act. †
	1895-96.	1896-97.	1897-98.	1898-99.	1898-99
Cuttack....		373	3,666	‡1,319	393
Balasore....	33	509	2,796	42	1,376
Puri (excluding- Khurda)	8	385	314	57	
Total....	41	1,267	6,776	1,418	1,769

† Under Sections 103 and 104.

‡ 1,128 cases under the old Act and 191 under the new Act.

493. Publication of the finally revised *khatian* and *khewat* under section 105 (2) of Act VIII of 1885 was the last stage in the preparation of the record; after it no change could be made save on the ground of fraud or clerical error.

It was held that the document actually published constituted the record of rights, and therefore the *kanungo* took with him to the village the final copy of the *khatian* bound up with *khewat* and schedules, as well as the copies prepared for raiyats.

The *khatians* had already been sealed (without signature or date) at the head office, and the *kanungo* commenced by reading out the final record while his muharrir distributed the raiyats' copies and took their receipts in a book kept for the purpose. As each *khatian* was read out or distributed the *kanungo* signed and dated the seal.

In this way a *kanungo* and one muharrir could get through about 25,000 fields a month or more and the pay of the establishment, a *kanungo* and muharrir and two peons came to Rs. 50, so that Rs. 2 per 1,000 fields, or Rs. 16,000 for the Province, was the original estimate; but as matter of fact a lot of time was spent in travelling and the cost has certainly not been less than Rs. 20,000 for the initial publication alone; and besides this many village records have been partly published a second time as explained in the last paragraph.

At first the *kanungo* published the *khewats* at the same time as the *khatian*, but in 1897 this was stopped, and the *khewats* were not published until after they had been finally revised at the time of taking *kabuliyats*. They were then sent out to the mufassal in batches, and after being published in the villages were pasted into the record in place of the discarded drafts, but this matter will be treated of under the head of *khewats*.

* Letter No. 1320, dated 3rd July 1899, to the Commissioner of the Division.

Act III (B. C.) of 1898 made a great difference in respect to final publication in revenue-free and permanently settled areas, as it became only precedent to the institution of suits for enhancements of rents (section 105) or correction of the record (section 106).

Though at the time of final publication the record was nominally complete, there were almost always, under either procedure, corrections to be made in it. Clerical and arithmetical errors were discovered during the extraction and compilation of figures, decisions were reversed on appeal and the original clean copy was often much corrected before it was ready to be made over to the Collector.

This was in no small measure the fault of the law, which made final publication the only limit of correction and at the same time made it necessary to publish the fair copy in original.

The present law [Act III (B. C.) of 1898] has removed this difficulty in the case of temporarily-settled areas, and to a great extent in permanently-settled tracts also.

It is now possible to reserve from both draft and final publication disputed entries.

494. The village *khewats*, part I as prepared at attestation were in various forms, containing sometimes a list of proprietary interests in the whole estate, sometimes those in the particular village, sometimes both, in varying degrees of correctness.

Besides these village *khewats* a complete set of *mahalwar khewats* showing the lands and the proprietors of each estate was supposed to have been prepared, but was only complete for a few circles when fair rent work began.

At the fair rent stage zamindars were again sent for, the village *khewats* corrected, and the *mahalwar khewats* brought up-to-date. *Khewats* thus corrected were published in draft and finally bound up in the record of rights.

At the close of the year 1897, when figures having been compiled, notices were served on the zamindars informing them of the proposals for the assessment of the new revenue, they began to put in objections to the entries as to their interests, and a large number of alterations were made in the *mahalwar khewats* which thus differed from the *khewats* in the village records.

The question of the reconciliation of the two records having been discussed in a conference with the Director, orders were issued (Circular No. 149 of 28th December, 1897), stopping the final publication of the draft *mauzawar khewats* and directing Assistant Settlement Officers to finally correct the *khewats* after the assessment of all estates in a village had been sanctioned, and to publish them at the time of issue of notices to the proprietors for re-engagement.

In the case of incorrect *khewats* already finally published, an extract from the *mahalwar khewat* was to be published in the same manner and bound into the record of rights immediately above the *mauzawar khewat*, and a note made on the latter that it was incorrect and superseded by the extract.

These orders were further modified in March 1893, and it was decided to finally revise the *mahalwar khewats* at the time of taking *kabuliyats* for the payment of the new revenue, from these *mahalwar khewats* to prepare *mauzawar khewats* and to finally publish and include these in the record of rights.

Under these orders in the Cuttack and Balasore districts correct *khewats* showing the shares in the estate, with a note of separate possession in the village where recognised, have been prepared for every estate and for every Proprietary tenure, the only difference being that in Balasore the *khewats* were published in the presence of the assembled zamindars and sub-proprietors, and in Cuttack they were sent for publication to each individual village.

In Puri, as a rule, new *khewats* were not prepared, but the old ones were corrected where necessary and then published; but the tenure-holders' *khewats* have been carefully re-written in the new form and finally published.

It may safely be said that no possible means of securing a correct record of proprietary interests has been neglected.

The Collector's general register as corrected by his register of intermediate mutations has formed the basis of the record ; it has been brought up to date during attestation and a note of the share recorded in his name served on every co-sharer at the time of proposal of revenue, and finally all proprietors have been invited to appear for the execution of their *kabuliyats* and even at that stage allowed to prefer objections.

495. The notation used to express share is one of which the unit is a rupee, divided generally in one of two ways, the former being generally known as the Cuttack and the latter as the Balasore system ;—

(1) Cuttack system.—

16 *pans* = 1 rupee,
20 *gandas* = 1 *pan* ,
4 *karas* = 1 *ganda*,
3 *krants* = 1 *kara*,
16 *biswas* = 1 *krant*,
20 *gandas* = 1 *biswa*,
4 *karas* = 1 *ganda*,

and so on to biswas recurring again from *gandas*.

(2) Balasore system.—

16 annas = 1 rupee,
12 pies = 1 anna,
20 *krants* = 1 pie,
16 *biswas* = 1 *krant*,
20 *gandas* = 1 *biswa*,

Under orders of the Director of Land Records and Agriculture the Balasore system, prescribed by the Board in 1892, has now been introduced every where.

496. The *terij* serves at once as an index to and an abstract of the *khatians*.

It was originally prepared by the Survey Department, a separate sheet being attached to each group of *khatians*, and was often very incomplete.

In the season of 1893-94 this work was transferred to the Settlement Department and new rules for the arrangement of entries were drawn up.

Beginning with an abstract for the village, subsequent detailed entries were to be arranged in exactly the same order as the *khatians*; that is, first for the whole village revenue-free proprietors, then their raiyats, and their raiyats, under-raiyats. Next Government lands with raiyats of Government, and after them their under-raiyats. Next the first estate in the village, beginning with the waste lands; then the rent-free, then the quit-rent, and after them the several classes of rent-paying tenants, the entries for the under-tenants of each class immediately following the last entry for the class.

Down to 1895 the form in use was as follows :—

Terij of village.				Pargana.				Zamindar.				
Serial number.	Name of tenant.	Nature of tenancy.	Number of fields.	CROPPED AREA				UNCROPPED AREA.		Total area	Rent as ascertained by Revenue Officer.	REMARKS.
				Other than bari or orchards and bamboo groves.	Bari	Orchads. and bamboo groves.	Total cropped area.	Ghar	Other kinds.			
1	2	3	4	5	6	7	8	9	10	11	12	13

In that year the Director, Mr. W. C. Macpherson, prescribed a new form which might serve at once for the totalling of assets and give details of cultivated and uncultivated, of occupied and unoccupied, and of assessed and unassessed areas.

The form, which was as follows, came into use in 1895-93 and was generally filled up for records attested in that season.

Terij of Estate.							Village.		Pargana.			
Serial No.	Name of tenant and nature of tenure or holding.	No. of fields.	AREA					Total area of tenancy.	Existing rent (cash)	Rate of cash rent per acre.	Settled rent.	REMARKS.
			CASH RENT PAYING.		Produce rent paying area.	RENT-FREE						
			Cultivated, i. e., cropped <i>Gharbati</i> current fallow.	Uncultivated area.		Cultivated.	Uncultivated.					
1	2	3	4	5	6	7	8	9	10	11	12	13
			A. D.	A. D.	A. D.	A. D.	A. D.	A. D	Rs. A. P.	Rs. A. P.	Rs. A. P.	

In June 1896 the preparation of comparative schedules of areas and recorded rents was begun at the central stations of Cuttack, Bhadrak and Pipli with a view to lessening the work in camp, as it was then found that in very many villages no completion *terij* existed.

It was decided not to prepare a fresh *terij* but to let the schedule of rents take its place, and supplement this with a *terij* of revenue-free and Government lands showing only the division into cultivated and uncultivated. In the re-attested areas the schedule also showed cultivated and uncultivated separately, but it does not do so in areas where an old *terij* was found in the records.

The arrangement of schedules and of the new *terij* of Government and revenue-free lands differed from the previous one in that the main division of revenue-paying lands was into (1) Tenants paying rent to the proprietor direct; (2) Lands assessed for revenue only, rent free tenures and waste lands; (3) Tenants of tenants.

In detail the order was—

A. *Terij* of revenue and Government lands—

- | | |
|----------------------------|------------------------------------|
| (1) Government. | (3) Revenue free. |
| (2) Tenants of Government. | (4) Tenants of revenue-free lands. |

B. Schedule of first estate—

- | | |
|---|---|
| (1) <i>Kharida jamabandi</i> tenure-holder. | (12) Resumed rent-free lands. |
| (2) Ordinary tenure-holder. | (13) Proprietor's <i>nijjot</i> . |
| (3) <i>Nisfi bazyafti</i> tenure-holder. | (14) Ditoo <i>nijchas</i> . |
| (4) <i>Kamilbazyafti</i> tenure-holder. | (15) Rent-free grants assessed for revenue |
| (5) <i>Nisbazyafti</i> raiyat. | (16) Confirmed <i>jagir</i> . |
| (6) <i>Kamil bazyafti</i> raiyat. | (17) Waste land. |
| (7) <i>Thani</i> raiyat. | (18) Raiyats of class (1) to (4). |
| (8) <i>Thani pahi</i> raiyat. | (19) Under raiyat's class (5) to (12) and of (15) and (16). |
| (9) <i>Pahi</i> occupancy raiyat. | (20) Raiyats of class (13) |
| (10) <i>Pahi</i> non-occupancy | (21) Under raiyats of class (18). |
| (11) <i>Chandina</i> raiyat. | |

The form of the scheduled eventually adopted was as follows :—

Tauzi No.		In village		Pargana		District		Village Note				
Serial o.	Name of tenant.	No. of fields.	OLD AREA.	NEW AREA.			Exist- ing rent.	Pro- posed rent.	Whether accepted or not.	Sett- led rent.	Whether accepted or not.	REMARKS. (Here note references to judge- ment in case of non-accept- ances.)
			A.	Culti- vated.	Unculti- vated.	Total.						
1	2	3	4	5	6	7	8	9	10	11	12	13

Columns (1), (6), (8) and (11) were totalled by classes in a statement referred to as the A form, which was bound up with the records.

497. The *milan khasra* is a total of the *khasra* pages showing the different classes of land into which the total area of the village is divided. The crop settlement also prepared from the *khasra*, shows the acreage under every kind of crop in the village.

These two statements were compiled by the Survey Department and filed with the *khasra* and were to some extent revised and completed during the attestation.

The crop statement of Puri was completed and compiled in 1894 by Babu Prasan Kumar Banerji, but even in 1897 the figures for the Province were found to be very incomplete.

Such as were available were then compiled, but in 1898 the forms were revised as being too clumsy, and all the figures were again checked by a special staff at the head-quarters stations, the village totals being copied into Thana volumes in the revised form.

498. Statements of cattle and of agriculture implements were prepared by the survey *amins*, but so few of these are now to be found in the records that they have not been compiled, but, where found, are bound with the village notes.

499. The settlement papers were, when complete, divided into three parts :—

- A. Papers to be preserved for ever.
- B. Papers to be preserved for twelve years.
- C. Papers to be destroyed, and statistical papers.

Similarly the case records were divided under the High Court Rules into A, C, and D papers.

The classification was based upon that in Appendix K of the Survey and Settlement Manual of 1895, but with several important alterations.

Among the A papers were —

- (1) The volume of record rights, consisting of—

The *khewats*.

The *khatians*.

The *terij* of Government and Revenue-free lands.

The schedule, which served as an index to the *khatians* of revenue paying lands.

The schedule totals or A forms.

The *tahsilalahida* statement or statement of total area in the village.

All these bound up with an index and certificate in red *kharwa* cloth.

(2) The *khasra* bound in plain brown paper.

(3) The A *misl* consisting of the village rate form, village judgment, *sairat* statement, *taufir* statement, soil or rate map.

(4) The village trace.

The B papers contained all petitions not summarily rejected and the orders thereon; records of disputes instituted otherwise than by petition and orders thereon; records of objections under section 105.

These five groups of papers with the A; C papers of case records were set a part in one boundle.

All other village papers except the village notes and the lists of agricultural stock were set aside to be destroyed after extraction of the necessary figure.

500. Throughout the settlement as well as the survey operations the Pargana had been accepted as the territorial and fiscal subdivision of the district. Circles were arranged, returns submitted, and reports prepared by Parganas.

The Thanawar arrangement.

It was, however, pointed out by Mr. Lyon, the Director, that the Pargana was often a conglomeration of scattered villages, and was most inconvenient as a geographical unit, while for executive work both Magistrate and Collector would find an arrangement by Thanas more useful. He accordingly proposed to number all villages within each Thana with consecutive serial numbers beginning at the north-west corner and to arrange all village records in the same order.

He claimed for this arrangement that it would enable the number alone to indicate the position of a village so that on reading in a report the number of a village the head of the District would realise the nature of the locality or could at least place his finger on it in the map while the numbers being arranged geographically, it would be possible to split up the Thana into police or census circles by merely assigning so many numbers to each.

On the other hand it was contended that the Pargana was the recognised unit, that geographically it as a rule coincided with a definite physical division, and that it formed the limit of a group of estates held more or less by one set of proprietors.

The *pros* and *cons* having been carefully discussed it was agreed that the advantages of the Thana arrangement far outweighed any possible disadvantages, and it was resolved to adopt it for all village records, those relating only to estates being still grouped by Parganas.

In accordance with this decision the registers of village totals of *milan khasras* and crop statements, the register of records, the registers of number of houses, of Government and reserved lands, and the village notes, have been arranged in the order of the Thana numbers.

An alphabetical list of villages in each Thana has been prepared and made over to the Collector, and in each revenue survey volume has been bound an index to the Pargana giving references to the Thana number, the old survey number and the number in the *mauzawar* C register.

The Pargana arrangement has been followed in the case of completion reports* which are arranged alphabetically within the Pargana according to the name of the estate, on, in the case of partition, of the parent estate.

Following the same order a register has been prepared showing village by village the assets and details of each class of tenant and of the area of each estate.

Khewats of estates have also been bound by Parganas and will be handed over to the Collector for the re-writing of their register of revenue-paying estates.

It is intended that the register of revenue-free lands should also be arranged Thana-war, but the draft has been made by Parganas and has been handed over in that order to the Collectors as no final orders have yet been received from the Board of Revenue.

* See Chapter XIX., Paragraph 479.

501. A report embodying my final views on this subject was submitted to the Director together with a draft Bill for the imposition of a *patwari* cess and rules for the conduct of the maintenance scheme (see Appendix A (22)). My conclusions are as follows:—

A yearly maintenance is most desirable for the raiyats if facilities for record of transfers are given; such transfers are however, contrary to custom and will not be acceptable to the zamindars, and may not be accepted by the Courts.

For the protection of raiyats yearly maintenance is not required; the provisions of Section 113 and the large proportion of rents fixed for the term of Settlement are sufficient protection. It is however, desirable to have a periodical revision, *i. e.*, in 1911 to 1913 after fifteen years to recognise *de facto* transfers and to adjust the records of mutations and status. For the Zamindars a yearly maintenance is desirable, because the majority have no notion how to keep up their rent-roll, but the papers they have now received are sufficient for fifteen years. Thus a periodical revision after fifteen years is desirable. After giving effect to all transfers and adjusting the records, zamindars will be allowed to apply for settlement of fair rents and such settlement will be made on payment of cost.

For Government a yearly maintenance is not necessary. In the present proceedings an enormous mass of statistics has been supplied. The total cost of a yearly maintenance and complete revision in 1925 will be 48 lakhs, as against 24 lakhs the cost of a revision after fifteen years plus the cost of revision in 1925 and as against 20 lakhs the cost of revision in 1925 only. In my opinion the expenditure for yearly maintenance is unnecessary; the *patwari* system is quite foreign to Orissa, and there is no one in Orissa who can afford to pay for it. I submit that, for the benefit of all concerned—the raiyat, the zamindar, and Government—a revision in 1911-13 (rents were fixed in 1896-98) followed by the revision in 1925-26 is most desirable. The cost of the two revisions should not, I submit, be more than 24 lakhs and should not exceed by 4 lakhs the cost of single revision in 1925-26.

502. Mr. Lyon, the Director, in his No. 1443 of 4th August 1899 puts the case as follows:—

The Bill has been carefully drafted on the lines indicated in paragraph 11 of letter No. 238 T.-R., dated 12th May, 1897, from the Government of Bengal to the Government of India, and the rules have been adopted with but slight modifications from those previously submitted by Mr. W. C. Macpherson. It has not been found possible, however, to adopt in its entirety the suggestion made by the Government of India in their letter No. 2397, dated 13th October 1897, that provisions should be made for a legal presumption of truth being attached to the record so soon as the local Government declares by notification that it is satisfied that the record is maintained with sufficient accuracy to justify such action. With the very inferior agency available for the work of registering mutations in Orissa, it has not seemed to us feasible to attach any value to the new entries in the records until each one has been duly attested by a Revenue Officer of a grade superior to a kanungo, and provision has accordingly been made in the Act to give a certain authority to the alterations in the records after, and not before, such attestation has been made. The provisions of the Bill were discussed by me in detail with Mr. Maddox in April last, and I have at present no modifications to suggest in them. I propose to deal further with the question of the cost of carrying through the scheme in a later paragraph of this letter.

The question which is now submitted for the final decision of Government, is whether it is necessary or advisable to introduce any such scheme as the present one for the maintenance of the records in view either of the prospects of its success, the actual advantages that will be obtained from it, or the very great cost that it will entail. Although a pronouncement on this question has been already made by the Government of India, that Government speaks in its letter of October 1898 referred to above of the improvement of the *patwari* establishment of Orissa, and does not appear to have gathered from the correspondence that there are for practical purposes no *patwaris* at all in most parts of Orissa, and that a *patwari* staff will have to be created for the purposes of the proposed scheme. It is again subsequent to the pronouncement of the Government of India that the Secretary of State has expressed a strong opinion as to the limitation of the assessment of Revenue to 55 per cent. of the assets, and that definite instructions have been received from the Governments of India and Bengal that the incidence of the proposed *patwari* cess is not to be considered in assessing revenue in the course of the present Settlement, with the result that, where less than 55 per cent. of the assets has been taken by Government and in many cases where that limit has been reached, the proprietor and proprietary tenureholders have been already fully assessed to revenue. I would also note that His Honour Sir Alexander Mackenzie expressed his approval of the scheme in very guarded terms, declaring at the Cuttack Conference of January 1898, that he thought it would be worth the expense if it

could be satisfactorily worked, and reporting to the Government of India that while he was disposed to think that the advantages of keeping the records, corrected from year to year, would more than counterbalance the expenses, he desired to bring prominently to the notice of that Government the doubts existing on the subject among competent and experienced officers in Bengal. At the same time the other chief supporter of the proposals, the Hon'ble Mr. George Toynebee, has more than once laid stress on the financial aspect of the question, and in a note dated 29th December 1896, wrote :—

“Before anything else is done, however, I think it should be made quite clear that the proposed patwari establishments will be at least as cheap as the revision establishment, which would have to be entertained (if they are not) when the term of the coming new settlement expires.

“The papers which record the previous discussions of this subject show that the introduction of a local agency for the maintenance of the records has been condemned by almost all the officers who have considered the question, including Sir Charles Stevens, three Commissioners of Orissa—Messrs. Stevenson, Cooke and Dutt—of whom Mr. Stevenson was also for several years Collector of Cuttack, and by all the Collectors who have been consulted on the subject.

“Of the advantages accruing from the existence of an intelligent and trustworthy local agency there can of course be no doubt, and when the village accountant is a permanent institution in every village, sanctioned by immemorial custom, with duties and powers extent and limitations of which are understood by all, and with ties of association and interest which induce loyalty to his work, he can be of much value to the Government and to the community at large, as a source of information in times of distress, as the unit of the organisation of famine relief, to check oppression on the part of the landlord, and to obviate the necessity for heavy expenditure on future Settlements. But the creation of such an agency in a country in which its working is not understood is a very different matter, and it is now nearly three years since I laid before the Board my reasons for believing that we cannot get the work we want done properly performed by such an agency in Orissa, and that we shall cause serious harrassment to the people in our attempts to establish a patwari system with the powers necessary for the maintenance of the record. Moreover, as regards the information actually required from a local agency, I would suggest that the bulk of it can be obtained with the help of our records without any patwari establishment, and that Mr. Maddox's remarks on this point are worthy of attention. By the geographical arrangement of all our records by thanas, by the publication of special thana maps and of thana registers of statistics sufficient to show the agricultural and economic circumstances of each village in each thana, we have afforded in a convenient form for District officers a mass of information that was previously unattainable without elaborate local enquiries, while in the assessment reports prepared for each paragana and for each group of estates within it full information as to the physical features of the lands of each estate, their liability to flood or drought, the severity of their assessment and the material condition of the tenants occupying them has been provided. By the Settlement of rents of the vast majority of the tenants under the Bengal Tenancy Act for fifteen years, we have stopped that progress in the enhancement of rents which it has been held to be the duty of the patwaris to watch and to check, and there are reasons to believe that there will be very few landlords in Orissa who will be able or will try to break down the rents now settled by us within the period for which they have been settled.

“On the subject of the cost to be incurred upon the scheme I may say at once that I consider that, if the patwaris are to carry out all the duties laid down for them, and if any authority whatsoever is to be given to the entries made by them, the expenditure, both initial and annual, will have to be raised. It will be noted that the original estimates were cut down by my predecessor under some pressure, and that in his final plans he included no procedure for the verification of collections of rent. While this has been now incorporated in the rules, I do not for other reasons, some of which are noted below, consider that the reductions made in the estimates can be accepted, and I anticipate that the actual cost is likely to amount to at least Rs. 1,50,000 initial and Rs. 1,50,000 annually.

“In considering the annual expenditure I think it should be remembered that the cost of carrying out the verification of collections has never been faced by the local officers, and I would suggest further that the serious difficulties we shall find in procuring returns from the zamindar appear to have been insufficiently weighed. Mr. Macpherson considered that the task of verifying individual collections was altogether too big for Government to undertake, and although the Government of Bengal would not cut these duties out of the scheme, it has not yet been indicated in what manner and at what expense they are to be carried out. The local officers who attended the preliminary conference held at Cuttack on 24th January 1898, were clearly of opinion that if the record of collections was to be included, they are of a patwari's circle would have to be reduced below eight square miles and they also recommended that there should be one kanungo to every ten patwaris, instead of one to every twelve or more as in the present scheme. While I refrain from modifying the present the strength of the proposed staff, which has already been approved by higher authorities, I desire to indicate the doubts I feel as to its adequacy for the work proposed. In the matter of supervision also, I agree with Mr. Maddox in deprecating the light estimate made in the Government of India's letter of the work that the Superintendents of Land

Records will have to do, and I anticipate that unlike their brethren in Upper India, where the population is less dense and the land is more sparsely cultivated, they will have their time fully occupied in the inspection and other work laid down for them in the present scheme. I would also call attention to the estimate submitted by Mr. Maddox for three Superintendents of Land Records and their establishments (to be paid for out of general revenues) that he proposes to add to the Collector's staff to complete the scheme. It is not quite clear what duties are to be entrusted to these officers, but I have no doubt Mr. Maddox recognised the value of such officers as those referred to by the Government of India as the Revenue Deputy Collectors and Tahsildars of Northern India, and realising the impossibility of the Superintendents of Land Records provided in the scheme ever carrying out the duties performed by the officers elsewhere, provided three extra supervising officers for the purpose. Apart however, from these general indications of the directions in which the present estimates of costs are likely to be exceeded, I would suggest that some definite addition must be made to the establishment of the Superintendents of Land Records to enable them to keep their copies of the records up to date and to the establishment of the kanungos to enable them to obtain and check the returns of rent collections to be called for from landlords. In view of the above considerations, and omitting the proposed charge for three superior officers as Superintendents of Land Records at the headquarters of each district, and making allowance for the low pay to be drawn by patwaris and kanungoes on their first appointment, I am doubtful whether it will be found possible to reduce the annual expenditure, as its lowest estimate, below Rs. 1,50,000.

"The total expenditure on the patwari scheme may thus be estimated at Rs. 1,50,000 for initial expenditure and (Rs. 1,50,000 X 25) 37,50,000 for recurring expenditure, allowance being made for some delay in introducing the scheme and for its temporary suspension for two or three years at the end of the term of Settlement, during the operations preparatory to the new Settlement. With the addition of 7½ lakhs to meet the cost of a revision of the records and reassessment of the revenue at the expiration of the current settlement, we get a total of 46½ lakhs, and I may add that the cost here estimated for resettlement, assumes the complete success of the maintenance work. Against this total we may set Mr. Maddox's rough estimates, which are, I believe, more than adequate, for revision of the records after fifteen years, and again at the time of re-settlement, and for a re-settlement after thirty years without any previous revision. He gives 24 lakhs as the probable cost of the double revision, and 20 lakhs as the cost of single revision at the time of re-settlement, and these estimates include all the operations necessary for a re-settlement of the revenue. It will be seen, therefore, that the additional cost involved in the introduction of the patwari scheme amounts to some 22½ lakhs, even if we adopt the proposal for the complete revision of records after fifteen years, a plan that I would commend for the favourable consideration of Government.

"I hope that, in the circumstances, I have detailed above, the project for the imposition of a patwari cess may be reconsidered, and that such orders may be passed as will secure the revision of records after fifteen years, all attempts to maintain them in the meanwhile being dropped. I believe that the information that has been compiled in the course of the present settlement is sufficient for the present purposes of Government and that the advantages to be gained by the creation of a local agency to assist in the general administration of the Province are far outweighed by the serious harassment that this would cause to the people. I suggest that the main object with which the scheme has been prepared—the efficient maintenance of the land records—would not be attained by the means proposed, and I would strongly support Mr. Maddox's contention that the people of the country, whether landlords or tenants, cannot afford to pay for it. Finally, I would emphasise the fact that we have only now completed lengthy and elaborate settlement proceedings which have unavoidably caused much trouble and inconvenience to the people, and which have brought with them a general increase in rent and an enhancement of revenue by 50 per cent. and would urge on Government that if these circumstances we should be chary of imposing fresh burdens on the people, and of introducing a scheme which will involve them in large additional responsibilities and considerable expense, and the success of which is, at the best, problematical."

I have nothing further to add to the arguments adduced by the Director. The matter is still under the inquiry of Government. I may only mention the fact here that so far from existing in every village there are (or were) only 488 patwaris in Orissa. These were at the last Settlement attached to certain large estates, the revenue of which exceeded Rs. 500. There were 323 patwaris in Puri, while in Cuttack there were 100 and in Balasore 65. In 1891-92, 328 obtained certificates at the Survey School, but since 1897 they have all been relieved from public duties and pay rent for their jagir lands which have been resumed and settled with them (see also paragraph 404 and 405 and the correspondence between the Director of Land Records and the Board of Revenue in January and February, 1900).